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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 TONI LEAL-OLSEN, an individual; and
15 MARCI MARGRITIER, an individual

16 Plaintiffs,

17 vs.

18 WASHOE COUNTY, a political subdivision of
the State of Nevada; *et al.*

19 Defendants.
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CASE NO: 3:17-cv-00437

**STIPULATION AND ORDER TO EXTEND
AND TOLL ALL DEADLINES TO FILE
FIRST AMENDED COMPLAINT**

21 COME NOW Plaintiffs Toni Leal-Olsen (“Plaintiff Leal-Olsen”) and Marci Margritier
22 (“Plaintiff Margritier”), by and through their counsel, William J. Geddes, Esq. of the law firm The
23 Geddes Law Firm, P.C. and Raelene K. Palmer, Esq. of the law firm Gallian Welker & Beckstrom,
24 L.C., and Defendant Washoe County (“Defendant”), by and through its counsel, Mary Kandaras,
25 Deputy District Attorney, of the Washoe County District Attorney’s Office, and herein file their
26 *Stipulation and Order to Extend and Toll All Deadlines to File First Amended Complaint.*

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I.

STIPULATION

A. RECITALS

WHEREAS: On May 24, 2018, Plaintiff Leal-Olsen sought leave to amend the Complaint (*Motion*, ECF 27), and on June 7, 2018, Defendant filed a non-opposition thereto (*Non-Opposition*, ECF 29); after which, the Court granted the *Motion* and ordered Plaintiff to file the First Amended Complaint (“FAC”) within five days of its *Order*, by June 15, 2018 (*Order*, ECF 30);

WHEREAS: The *FAC* does not name Plaintiff Margritier in the action, because Plaintiff Margritier entered into a settlement agreement (“Agreement”) on February 21, 2018, which was assented to by Washoe County officials on February 27, 2018;

WHEREAS: As part of the Agreement, Defendant agreed to contribute and did contribute an agreed-upon sum to the Public Employees’ Retirement System (“PERS”), the intent of which was to increase Plaintiff Margritier’s three highest years of pay in the PERS for retirement benefit purposes;

WHEREAS: The parties have delayed filing a stipulation for dismissal of Plaintiff Margritier’s claims, pending confirmation and payment from the PERS of the increased amount of Plaintiff Margritier’s monthly, retirement benefit, which confirmation the parties anticipated receiving in early June 2018, having followed Defendant’s first-calendar-quarter-2018 contribution to PERS;

WHEREAS: The parties were informed by a PERS employee on this date, June 8, 2018, that the PERS could take between six months and twenty-four months to confirm Plaintiff Margritier’s retirement-benefit calculation and to begin paying her at that higher rate;

WHEREAS: The parties’ counselors contacted the PERS’s attorney, Chris Nielsen, today, June 8, 2018, to seek an expedited retirement-benefit calculation and prompt payment from the PERS, and Defendant’s counsel, Mary Kandaras received a message from Mr. Nielsen stating that he is on medical leave until at least June 18, 2018, but that he will work with the parties towards an expeditious resolution upon his return; and

WHEREAS: The parties wish to extend and toll all deadlines to file the *FAC* for a period of three weeks beyond the date previously ordered by the Court, to exhaust efforts to obtain confirmation of the benefit calculation and timely payment, prior to filing the *FAC*, because the effect of which will

1 remove Plaintiff Margritier from this action.

2 **B. STIPULATION**

3 THEREFORE, the parties jointly petition the Court to amend its June 7, 2018 *Order* (*Order*,
4 ECF 30), by extending and tolling all deadlines to file the *FAC* to July 6, 2018.

5 This request for amendment is not offered for any dilatory or improper purpose.

6 Dated this 8th day of June 2018

GALLIAN WELKER & BECKSTROM, L.C.



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12
13 Dated this 8th day of June 2018

THE GEDDES LAW FIRM, P.C.

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15 *Electronic Signature Authorized*
/s/

16 WILLIAM J. GEDDES
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18
19
20 Dated this 8th day of June 2018

CHRISTOPHER J. HICKS
Washoe County District Attorney

21
22 *Electronic Signature Authorized*
/s/

23
24 MARY KANDARAS
Deputy District Attorney
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II.
ORDER

THE COURT, having considered the preceding Stipulation and GOOD CAUSE appearing therefor, GRANTS the Stipulation.

Dated: June 11, 2018

IT IS SO ORDERED

William G. Cobb
UNITED STATES MAGISTRATE JUDGE